

REMARKS

Claims 1-45 are pending in the present application. Claims 1, 11, 14, 15, 17, 18, 23, 25-29, and 39 are amended above. New claims 46-64 are added above. No new matter is added by the claim amendments or new claims. Entry is respectfully requested.

Applicant affirms election of species 1. Claims 12, 13, 21, 40, and 44 are withdrawn from consideration as being drawn to non-elected species.

The drawings are objected to for reasons indicated in the Office Action. FIG. 5 is amended herein, such that the depiction of the wall 26 has been changed to more closely represent a wall. With regard to claims 11 and 39, new FIG. 4C is added to depict a head 48 that is integral with the mount body 30. With regard to claim 20, reference is made to FIG. 9, which provides an example of a configuration having an inwardly biased spring 44, and further to FIGs. 1-3, 5 and 11, wherein the spring is outwardly biased. With regard to claims 21 and 44, new FIGs. 12A and 12B are added to illustrate, in FIG. 12A, a biasing unit comprising a ratcheting mechanism 33, and to further illustrate, in FIG. 12B, a biasing unit comprising a hinge and a manually operated screw 35. No new matter is added. Entry of the amended and new drawings, and reconsideration and removal of the objections are respectfully requested.

The Applicant notes, with appreciation, that the Office Action indicates that claims 6-10, 15, 16, 22-23, 27, 34-38 and 41-43 would be allowable if rewritten in independent form. Accordingly, new independent claim 46 includes the limitations of original claim 6, and new dependent claims 47-50 include the limitations of original claims 7-10 respectively. New independent claim 51 includes the limitations of original claim 15, and new dependent claim 52 includes the limitations of original claim 16. New independent claim 53 includes the limitations of original claim 17, and new dependent claim 54 includes the limitations of original claim 18. New independent claim 55 includes the limitations of original claim 22, and new dependent claim 56 includes the limitations of original claim 23. New independent claim 57 includes the limitations of original claim 34, and new dependent claims 58-61 include the limitations of

original claims 35-38. New independent claim 62 includes the limitations of original claim 41. New independent claim 63 includes the limitations of original claim 42, and new dependent claim 64 includes the limitations of original claim 43. No new matter is added. Entry and allowance of the new claims are respectfully requested.

Claims 11, 17, 18, 28 and 29 stand rejected under 35 U.S.C. 112, second paragraph. The claims are amended above in a manner that is believed to overcome the rejections. In particular, claim 11 is amended to replace "head" with "head interface", which finds antecedent in claim 1. It should therefore be clear that the Applicant is claiming the mount alone in claim 11. Claims 17, 18, 28, and 29 are amended to replace "second handle" with "grip handle", such that an antecedent is no longer required. In addition, claims 15 and 26 are amended to replace "first handle" with "leverage handle". Entry of the amendments and removal of the rejections are respectfully requested.

The Applicant further notes, with appreciation, that the Office Action indicates that claims 17, 18, 28, and 29 would be allowable if rewritten to overcome the rejections under 35 U.S.C. 112, second paragraph. New independent claim 53 includes the limitations of original claim 17, and new dependent claim 54 includes the limitations of original claim 18. New independent claim 65 includes the limitations of original claims 27 and 28, and new dependent claim 66 includes the limitations of original claim 29. No new matter is added. Entry and allowance of the new claims are respectfully requested.

Claims 1-5, 11, 14, 19, 20, 24-26, 30-33, 39 and 45 stand rejected under 35 U.S.C. 102(e) as being anticipated by Lassiter (US patent no. 6,523,231). Reconsideration of the rejection and allowance of the claims are respectfully requested.

The present invention as claimed in independent claim 1 is directed to a partition mount for mounting between a pole and an abutting surface. A pole interface is on a mount body. The pole interface is adapted for interfacing with a side portion of a pole. A head interface is on the

mount body. A biasing unit outwardly biases the pole interface and head interface with respect to each other. In this manner, the relative positions of the pole interface and the head interface can be varied.

The present invention as claimed in independent claim 25 is directed to a partition mount for mounting between a pole and an abutting surface. The mount body comprises a first and a second arm that are coupled by a hinge. A pole interface is on the first arm. The pole interface is adapted for interfacing with a side portion of a pole. A head interface is on the second arm. A biasing unit outwardly biases the pole interface and head interface with respect to each other. In this manner, the relative positions of the pole interface and the head interface can be varied.

In the present invention as claimed in independent claims 1 and 25, a “biasing unit” is provided for “outwardly” biasing “the pole interface and head interface with respect to each other”. This feature is illustrated and described at least in connection with FIGs. 1, 2, 3, 8, 9, 10, 11, and 12, which show a “biasing unit”, for example in the form of a spring 44, operating to outwardly bias the pole interface 34 (134 in FIG. 9) and head interface 40. In this manner, the “relative positions” of the “pole interface and the head interface can be varied”. For example, in the example of FIG. 3, when pressure 90 is applied to the handles 38 and 39 and the spring 44 is compressed, the “pole interface” 34 moves with respect to the “head interface” 40 (see Specification, FIG. 2, and related description). Similarly, when pressure is applied to handle 139 of the embodiment of FIG. 9, the pole interface 134 moves relative to the head interface 40. Similarly, in the embodiment of FIG. 8, the relative positions of the pole interface 34 and head interface 40 can be varied.

Lassiter is directed to a power extension cord clip comprising a closed sleeve 34, an open sleeve 32, and a spring clip 18 for biasing the open sleeve 32 to be in a closed position (Lassiter, FIG. 1). An extension cord is placed within the closed sleeve, and the closed sleeve is fastened about the body of the extension cord, such that it makes circumferential contact with the body of the extension cord (Lassiter, column 2, lines 65-67 to column 3, lines 1-14). In Lassiter, the

closed sleeve 34 (alleged in the Office Action as being analogous to the “pole interface” of claims 1 and 25 of the present invention) is fixed in position with respect to the open sleeve 32 (alleged in the Office Action as being analogous to the “head interface” of claims 1 and 25 of the present invention) by the body of the arm 14 between them, such that they are at a fixed distance with respect to each other. The spring clip 18 that is part of the open sleeve 32 is operative only for the open sleeve 32, and in no way relates to the relative position of the open sleeve 32 and closed sleeve 34.

It is submitted that Lassiter fails to teach or suggest a “biasing unit that outwardly biases the pole interface and head interface with respect to each other”, as claimed in independent claims 1 and 25. Instead, in Lassiter, the closed sleeve 34 and open sleeve 32 are fixed in position relative to each other along fixed arm 14. In addition, Lassiter fails to teach or suggest a mount in which the “relative positions of the pole interface and the head interface can be varied”, as claimed in independent claims 1 and 25. As stated above, the relative positioning of the closed sleeve 34 and open sleeve 32 in Lassiter is fixed, and therefore cannot be varied. Accordingly, reconsideration of the rejection of claims 1 and 25 under 35 U.S.C. 102(e) as being anticipated by Lassiter is respectfully requested

Accordingly, reconsideration and removal of the rejections and allowance of independent claims 1 and 25 are therefore respectfully requested. With regard to the various dependent claims, it follows that these claims should inherit the allowability of the independent claims from which they depend.

Closing Remarks

It is submitted that all claims are in condition for allowance, and such allowance is respectfully requested. If prosecution of the application can be expedited by a telephone conference, the Examiner is invited to call the undersigned at the number given below.

Respectfully submitted,

Date:

September 22, 2004

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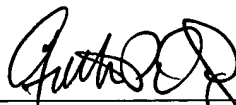
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Amendments to the Drawings:

The attached sheets of drawings include a sheet including changes to FIG. 5. This sheet, which includes FIG. 5, replaces the original sheet including FIG. 5. In FIG. 5, the depiction of the wall 26 has been changed to more closely represent a wall.

The attached sheets of drawings further include new FIGs. 4C, 12A and 12B. New FIG. 4C depicts a head that is integral with the mount body. New FIG. 12A illustrates a biasing unit comprising a ratcheting mechanism. New FIG. 12B illustrates a biasing unit comprising a hinge and a manually operated screw.

A marked-up version of the drawings, with revisions shown in red, is included with the amended drawings. Entry of the amended drawings is respectfully requested.

Attachment: Replacement Sheets
Annotated Sheet Showing Changes

5 / 11

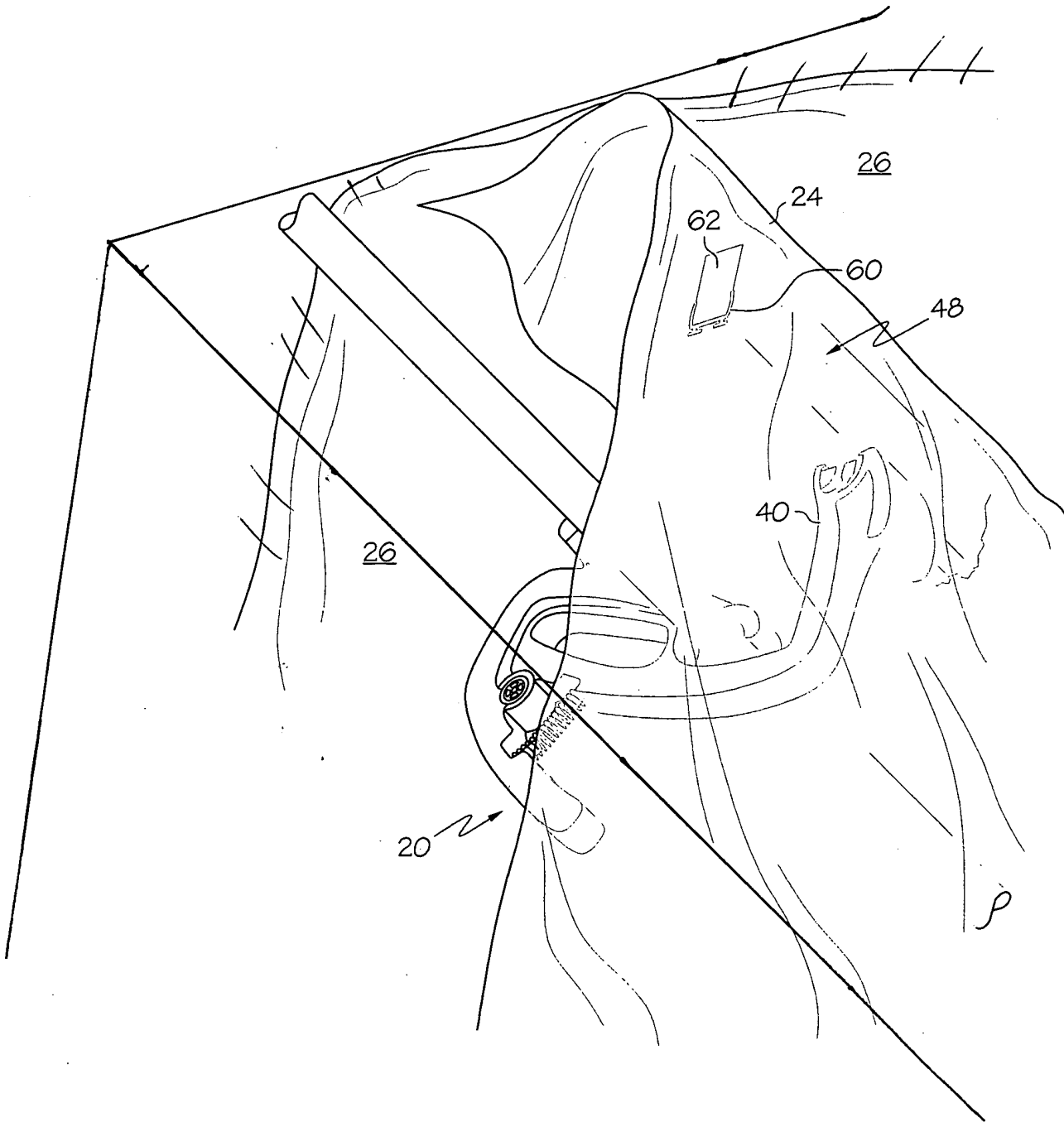


FIG. 5